

Remarks/Arguments**1. Introduction**

Applicants note with appreciation the finding of allowable subject matter recited in claims 78-85. To that end, Applicants have added claim 106 to include the subject matter of claim 78 that was considered allowable; and added claim 115 to include the subject matter of claims 78 and 79 that was considered allowable. As a result, Applicants respectfully contend that new claims 106 and 115 define an invention suitable for patent protection. Applicants choose, however, to proceed with prosecution of the remaining claims.

2. Rejections under 35 USC § 102(e)

In the Office action, claims 77 and 86 were rejected as allegedly being anticipated by Suzuki et al. [hereinafter referred to as Suzuki], U.S. Patent No. 6,411,010. Applicants respectfully traverse this rejection based upon the contention that Suzuki does not qualify as prior art for purposes of 35 USC § 102(e). Pursuant to MPEP 706.02(f)(1), a patent issuing from a patent application filed pursuant to 35 USC § 111(a) claiming priority pursuant to 35 USC § 119(a)-(d) to a prior foreign-filed application is accorded the U.S. filing date as the prior art date of the patent under 35 USC § 102(e). The Suzuki reference issued from a patent application filed pursuant to 35 USC § 111(a) claiming priority pursuant to 35 USC § 119(a)-(d) to a prior foreign-filed application. Thus, Suzuki has an effective 35 USC § 102(e) date of May 11, 2000. The present application claims the benefit of priority of October 29, 1999. (See Filing Receipt mailed

June 14, 2001). Thus, Applicants respectfully submit that Suzuki does not qualify as prior art pursuant to 35 USC § 102(e). Therefore, Applicants respectfully contend that the pending claims define an invention suitable for patent protection in view of Suzuki.

3. Amendments to the Claims

Applicants have amended the claims to more clearly define the invention. No prior art necessitated these amendments. No new matter has been introduced by these amendments

4. Dependent Claims

Considering that the dependent claims include all of the features of the independent claims from which they depend, these claims are patentable to the extent that the independent claims are patentable. Therefore, Applicants respectfully contend that the dependent claims are suitable for patent protection.

Applicants respectfully request examination of the amended claims in view of the remarks made herein. A notice of allowance is earnestly solicited.

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office, TC/A.U. 2834 (Fax No. (703) 872-9306).

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Respectfully Submitted,



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